



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

11201 Renner Boulevard
Lenexa, Kansas 66219

JUL 30 2015

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article Number: 7014 1200 0000 6123 6346

Ms. Theresa Armbruster
Sac & Fox Truck Stop
1346 Highway 75
Powhattan, Kansas 66527

RE: Leaking Underground Storage Tank
Sac & Fox Truck Stop
1346 highway 75
Powhattan, Kansas 66527

Dear Ms. Armbruster:

It has come to the attention of the United States Environmental Protection Agency that there is a leaking underground storage tank system present at the above referenced facility. The purpose of this letter is to notify you that under federal law (40 CFR, Part 280) you have a legal responsibility to take certain actions to address this leaking system and cleanup resulting releases to the environment. These include the following:

- Report, investigate and confirm suspected releases (40 CFR, Parts 280.50 and 280.61). Associated reporting should be made to the USEPA via the contact.

Douglas E. Drouare, CPG
USEPA, Region 7
11201 Renner Boulevard
Lenexa, Kansas 66219
(913) 551-7299
drouare.douglas@epa.gov

- Take immediate action to prevent any further release and mitigate fire, explosion and vapor hazards (40 CFR Part 280.61)
- Report, investigate and confirm off site impacts caused by the release (40 CFR, Part 280.51).
- Investigate the integrity of the underground storage tank system and, if necessary, implement repairs (System Test - 40 CFR, Part 280.52).
- Measure for the presence of a release where contamination is most likely to be present (Site Check - 40 CFR, Parts 280.52 and 280.62)
- Immediately contain and cleanup any surface spills or overfills and provide reporting on the details of these efforts to the contact noted above (40 CFR, Part 280.53).



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- Take all necessary initial abatement actions and report on those actions to the USEPA within 20 days of the date of release confirmation. The release was confirmed on July 23, 2015 so the initial abatement report would be due before the end of the day on August 12, 2015 (40 CFR, Part 280.62).
- Take site characterization actions at the site that will verify the extent and degree of impact. Site characterization efforts should be reported to the USEPA within 45 days of the date of release confirmation. The release was confirmed on July 23, 2015 so the site characterization report would be due before the end of the day on September 6, 2015 (40 CFR, Part 280.63).
- Continue with efforts to remove free product to the maximum extent practicable (40 CFR, Part 280.64).
- If the aforementioned site characterization efforts have proven inadequate to verify the full extent and degree of impact, continue with site characterization efforts and report your efforts to the USEPA as you progress (40 CFR, Part 280.65).
- If necessary, design and implement a corrective action plan that will remediate/mitigate contaminants to appropriate levels/concentrations (40 CFR, Part 280.66).
- Notify the public and affected parties as warranted (40 CFR, Part 280.67).

Please compile and retain records for all actions taken to address the leaking underground storage tank system and the resulting release to the environment as they will be important components of the site closure process.

As the site of the release lies within the external boundaries of the Kickapoo reservation, the USEPA will be the regulatory agency exercising jurisdiction over the cleanup. The USEPA has not adopted any specific abatement, characterization or remediation protocols or criteria. However, the four states within our region (including Kansas) do have such protocols and criteria and we recognize them as appropriate for characterizing and closing leaking underground storage tanks. We would suggest that you consider using the Kansas protocols/criteria and contract with a consultant experienced in utilizing them who can help you move the site to closure.

Until the release situation stabilizes, we request that you provide weekly updates to the USEPA via phone call or electronic mail. Direct communications to Mr. Drouare via the contact information provided above. We request that you update the USEPA on the current status of your tank systems by completing the attached "Notification for Underground Storage Tanks" to the best of your ability and returning it to our offices via electronic or standard mail to Mr. Drouare.

Sincerely,



Margaret E. Stockdale
Chief

Storage Tanks and Oil Pollution Branch
Air and Waste Management Division

Enclosures: Notification for Underground Storage Tanks (EPA Form 7530-1)

cc: Mr. Mark Junker, Sac & Fox Nation of Missouri in Nebraska and Kansas
Mr. Jim Jensen, Sac & Fox Nation of Missouri in Nebraska and Kansas
Mr. Viswatej Attali, Kickapoo Tribe in Kansas